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TO: Examiner Theodore CRIARES Group Art Unit 1617 U.S. Patent and Trademark Office	FACSIMILE No.: (703) 746-6897 TELEPHONE No.: (703) 308-4607
FROM: Karen Canaan Reg. No. 42,382	FACSIMILE No.: (650) 330-0980 TELEPHONE No.: (650) 330-0900
DATE: March 24, 2003	PAGE 1 OF: 3
SUBJECT: In re Application of: SMITH et al. Serial No.: 09/793,839 Filed: February 26, 2001 Title: METHODS AND FORMULATIONS FOR TREATMENT OF PREMATURE EJACULATION Attorney Docket No.: 9050-0037.01	CONFIRMATION COPY TO FOLLOW: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Examiner Criares:

Submitted herewith is a Supplemental Response to Third Restriction Requirement for entry in the above case. Please call me if you have any questions or see any additional issues that need to be addressed.

*Received 3/24/03
OK to enter T/K*


Karen Canaan

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Att'y Dkt No. 9050-0037.01
PATENT

3/24/03
Date

Margaret K. Surridge
Margaret K. Surridge

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
William L. SMITH et al.

Serial No.: 09/793,839

Group Art Unit: 1617

Filing Date: February 26, 2001

Examiner: Theodore CRIARES

Title: METHODS AND FORMULATIONS FOR TREATMENT OF PREMATURE
EJACULATION

SUPPLEMENTAL RESPONSE TO THIRD RESTRICTION REQUIREMENT

Attention: Examiner Criares
Commissioner for Patents
Washington, D.C. 20231

Sir:

This communication is a supplemental response to the third Restriction Requirement for this matter, which was mailed from the Office on February 5, 2003. In the response to the Third Restriction Requirement, timely filed on March 4, 2003, applicants traversed the Examiner's restriction of the anti-depressants of canceled claims 61-69, but remained responsive to the Restriction Requirement by rewriting the subject matter of canceled claim 61-69 in Markush group format (new claims 127-136) and provisionally electing the tricyclic or tetracyclic anti-depressants of Group V for initial examination. With this supplemental response, applicants respectfully request a change of the provisional election from the tricyclic or tetracyclic anti-depressants of canceled claims 61-63 to the *serotonin reuptake inhibitors* of canceled claims 64-65. On this matter, applicants note that although the Examiner identified canceled claims 61-65 (Group V) as drawn to tricyclic and tetracyclic antidepressants, applicants respectfully note that the tricyclic or tetracyclic antidepressants were actually the subject of canceled claims 61-63,

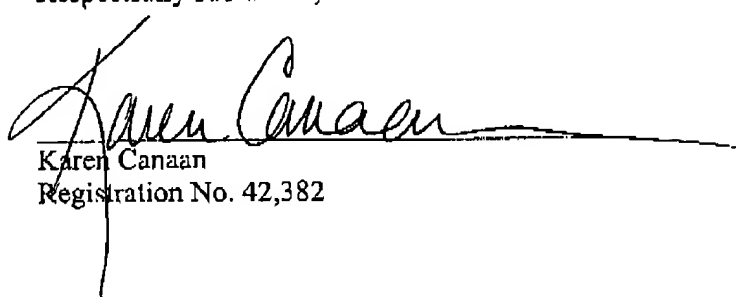
Serial No. 09/793,839
Atty Dkt No. 9050-0037.01

with the serotonin reuptake inhibitors being the subject matter of canceled claims 64 and 65. In light of the foregoing, applicants respectfully submit that this request is reasonable and fully supported by the claims as they appeared prior to the mailing of the Third Restriction Requirement.

Should the Examiner have any questions regarding this supplemental response, he is invited to contact the undersigned at 650-330-4913.

Respectfully submitted,

By:


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